

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JAMES J. DOUGHTY,

Plaintiff,

v.

5:14-CV-0265
(GTS/CFH)

CAROLYN W. COLVIN, Acting Comm'r
of Social Security,

Defendant.

APPEARANCES:

OLINSKY LAW GROUP
Counsel for Plaintiff
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Syracuse, New York 13202

SOCIAL SECURITY ADMINISTRATION
OFFICE OF REG'L GEN. COUNSEL-REGION II
Counsel for Defendant
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New York, New York 10278

OF COUNSEL:

HOWARD D. OLINSKY, ESQ.

SIXTINA FERNANDEZ, ESQ.

GLENN T. SUDDABY, United States District Judge

DECISION and ORDER

Currently before the Court, in this action filed by James J. Doughty ("Plaintiff") against the Commissioner of Social Security ("Defendant") pursuant to 42 U.S.C. § 405(g) seeking review of a decision by Defendant denying Plaintiff's application for Social Security benefits, is the Report-Recommendation of United States Magistrate Judge Christian F. Hummel, issued pursuant to 28 U.S.C. § 636(b)(1)(A) and (B) and Local Rule 72.3(c) of the Local Rules of Practice for this Court, recommending that this action be dismissed in its entirety for Plaintiff's failure to timely file his complaint within the proscribed sixty (60) day filing period. (Dkt. No.

10.) Objections to the Report-Recommendation have not been filed, and the time period in which to do so has expired. (*See generally* Docket Sheet.) After carefully reviewing all of the papers in this action, including Magistrate Judge Hummel's Report-Recommendation, the Court can find no clear error in Magistrate Judge Hummel's thorough Report-Recommendation. (Dkt. No. 10.) As a result, the Court accepts and adopts the Report-Recommendation in its entirety for the reasons stated therein.

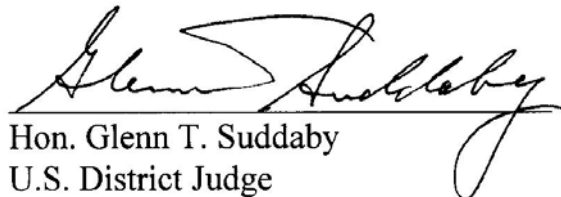
ACCORDINGLY, it is

ORDERED that Magistrate Judge Hummel's Report-Recommendation (Dkt. No. 10) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

ORDERED that Defendant's motion to dismiss (Dkt. No. 8) is **GRANTED**; and it is further

ORDERED that Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED** in its entirety.

Dated: October 15, 2014
Syracuse, New York


Hon. Glenn T. Suddaby
U.S. District Judge